

REMARKS:

In the Office Action mailed January 14, 2008, the Examiner noted that claims 1, 14, 16, 19, 22, 26-29, 32-34 and 37 were pending, and rejected claims 1, 14, 16, 19, 22, 26-29, 32-34 and 37. Claims 22, 27 and 32 are cancelled herein without prejudice. Claims 2-13, 15, 17 and 18, 20, 21, 23-25, 30, 31, 35 and 36 remain cancelled.

Claims 1, 14, 26, 28, 33 and 37 have been amended. Thus, claims 1, 14, 16, 19, 26, 28, 29, 33, 34 and 37 are pending under consideration. No new matter has been added. The Examiner's rejections are traversed below.

REJECTIONS UNDER 35 U.S.C. § 102:

Claims 1, 14, 16, 19, 22, 26-29, 32-34 and 37 were rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent Pub. No. 2002/0160759 (Pradhan). The rejections are respectfully traversed.

Claim 1 has been amended to recite "user identifying information of the plurality of the advertisement medium persons is received a plurality of times, the user identifying information which has been contained every time in the received user identifying information is determined, the advertising information of the goods conforming to the received goods search conditions among the goods associated with the advertisement medium person corresponding to the determined user identifying information is found." See also independent claims 14, 26, 28, 33 and 37 recite similar features as claim 1.

On page 11 of the Office Action, the Examiner indicated that Pradhan teaches in paragraph 7, 48, and 106, "receiving at a server user specified information (i.e. advertisement characteristic profile) about an advertisement medium person having goods on or with and retrieval condition."

Pradhan explicitly states at paragraph 7:

"an advertiser telecommunications device emitting... the advertisement having a characterisation profile associated with it conveying information about the type of advertisements and/or goods or services being offered... a consumer telecommunications device having an advertisement filter provided with an allowable advertisement characteristics profile and the consumer device comparing the received advertisement characteristic profile with its filter profile and accepting advertisement which match its advertisement characteristics profile to an acceptable degree and rejecting advertisements whose characteristics profile dose not match to an acceptable degree..."

As can be seen from the above discussion, Pradhan does not teach or suggest "user identifying information of the plurality of the advertisement medium persons is received a plurality of times" and "the advertising information of the goods conforming to the received goods search conditions among the goods associated with the advertisement medium person corresponding to the determined user identifying information is found", as taught by the claimed invention. For the above-discussed reason, the Examiner does not appear to have established a priori case of anticipation. For this reason it is requested that the rejection be withdrawn.

At least on page 3 of the outstanding Office Action, the Examiner appears to assert that the subset of allowed advertisement categories in Pradhan (at paragraph 45) teaches retrieval of advertisements based on "user-specified information", as taught by the claimed invention. However, the categories in Pradhan only relate to classification or categorization of the advertisement and not "information about an advertisement medium person having goods on or with...", as recited in claim 1 for example.

The Examiner refers to paragraphs 48, 105 and 106 of Pradhan as teaching "receiving user-specified information about an advertisement medium person." However, Pradhan does not provide an enabling disclosure pertaining to the claimed feature of receiving user-specified information "about an advertisement medium person", since Pradhan merely mentions that a mobile advertiser station, e.g. in a train or taxi, or even carried by a person (e.g. their mobile phone) may be in piconet contact with a great many other devices over a period of time and that some advertisers may pay some people or organizations to carry their advertisements. A disclosure in an assertedly anticipating reference must provide an enabling disclosure of the desired subject matter; mere naming or description of the subject matter is insufficient, if it cannot be produced without undue experimentation (MPEP 2121.01).

Therefore, Pradhan does not disclose or suggest at least the feature of "receiving user-specified information about an advertisement medium person ", where "user identifying information of advertisement medium persons is received a plurality of times" and "the advertising information of the goods conforming to the received goods search conditions among the goods associated with the advertisement medium person" is identified. Accordingly, Pradhan does not disclose every element of the Applicants' independent claims. Therefore, since Pradhan does not disclose the features recited in independent claims, as stated above, it is respectfully submitted that independent claims patentably distinguish over Pradhan.

On page 12 of the Office Action, the Examiner indicates that the Applicants are arguing about limitations not stated in the claims. However, Applicants submit that the claimed features

include "advertising information of goods corresponding to the retrieval condition among goods associated with the specified advertisement medium person" (see, claims 1, 14, 26, 28, 33 and 37). In other words, the advertising information is retrieved based on information of advertisement medium person while the advertising information may be sent to any user. Thus, the claimed invention is not limited to being transmitted only in association with a single recipient consumer telephone having a filter profile matching characteristic profile of the advertisement as in Pradhan (See, paragraphs 83, 84 and Fig. 2).

In light of the above, it is respectfully submitted that independent claims 1, 14, 26, 28, 33 and 37 are patentable over Pradhan.

Claims depending from the independent claims include all of the features of that claim plus additional features which are not disclosed by Pradhan. For at least the above-mentioned reasons, claims depending from independent claims are patentably distinguishable over Pradhan.

Therefore, withdrawal of the rejection is respectfully requested.

CONCLUSION:

It is believed that the present Amendment is responsive to each of the points raised by the Examiner in the Official Action. However, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to such matters.

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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